

# Adversary Case Opening

## *For Attorneys*

Opening an Adversary proceeding involves entering the necessary information regarding the plaintiff, defendant, and basic statistical data. The complaint is incorporated into this process and will not need to be docketed separately. During the filing of this event (unlike the opening of a Bankruptcy Case), the attorney for the plaintiff must select himself/herself at the attorney selection screen. (Refer to Step 9, page 6)

- STEP 1** Click the Adversary hyperlink on the CM/ECF main menu bar. (See Figure 1.)

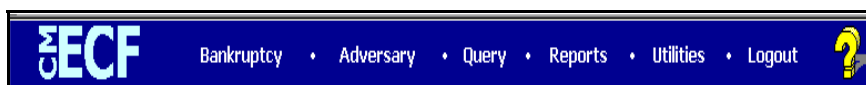


Figure 1

- STEP 2** Click on the Open AP Case hyperlink displayed on the **ADVERSARY EVENTS** screen. (See Figure 2.)



Figure 2

- STEP 3** The **CASE DATA** screen displays. (See Figure 3.)



Figure 3

- ◆ The case number will be generated at the end of this process. Make sure you take note of it on the final screen.
- ◆ The current date is displayed next to **Date Filed**.
- ◆ The **Case Type** value is **ap** for adversary proceeding. There is no other selection.
- ◆ The Complaint field signifies the lead event for this proceeding. If you are filing something other than a complaint such as a Notice of Removal, select **(n)** for no.
- ◆ Click **[Next]**.

**STEP 4** The **LEAD CASE/ASSOCIATION TYPE** screen appears. (See Figure 4.)



**Figure 4**

- ◆ Enter the **Lead Bankruptcy Case Number** in yy-nnnnn format, including the hyphen.

**NOTE:** If the case number is invalid or if the lead case does not reside on this database, an error message, “**YY-NNNNN is not a valid case. Please enter a valid value.**” is generated. You will not be able to proceed with the case opening process. Research the reason for the error.

If you **do not** enter any number in the **Lead Case Number** field the system **will** allow you to proceed with case opening.

- ◆ The **Association type** defaults to Adversary. Other selections are Consolidated, Jointly Administered, and Related. Leave the default and click **[Next]**.

**STEP 5** The **CASE ASSIGNMENT** screen displays. Case assignment is based on the lead Bankruptcy case. (See Figure 5.)

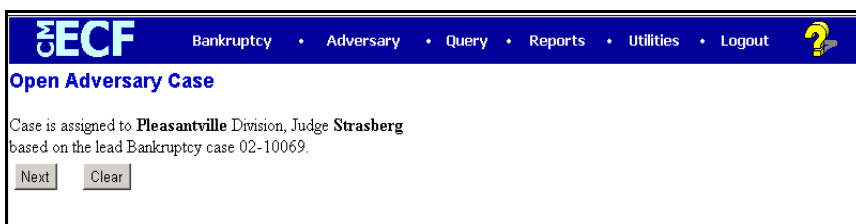


Figure 5

- ◆ Click **[Next]**.

**STEP 6** The **PARTY SEARCH** screen appears. (See Figure 6.)

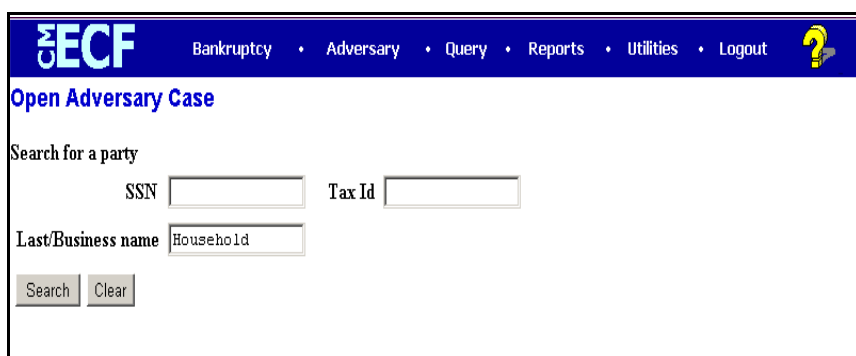


Figure 6

- ◆ Before adding a party, it is recommended that one search the database for the filer. One can search by Social Security Number, Tax Identification Number, Last Name or Business Name.
  - Enter the last name of the party to be searched. If this is a business filing, enter the first word of the name to search the database. The entire business name is stored in the **Last/Business name** field. The field size is 200 characters

**Search Hints:**

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names (minimum of two characters) can be entered.
- Wild cards (\*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (\*son, Gr?y)
- Do not search only by the asterisk \* itself.

- ◆ Enter the plaintiff's last/business name and click **[Search]**. In Figure 6 we have entered the first word of the plaintiff's name (Household).

**NOTE:** Do not use the asterisk \* by itself as search criteria. If just the asterisk is used, the entire database will be searched and require unnecessary systems resources and may degrade response time.

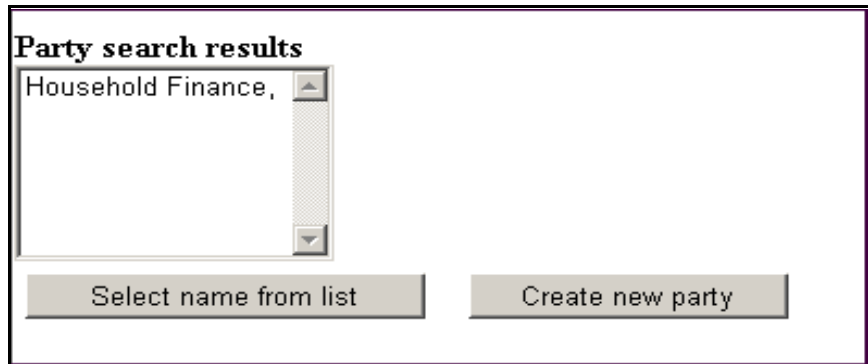
**STEP 7** The **SEARCH RESULTS** screen appears. (See Figure 7a.)



**Figure 7a**

**NOTE:** If the designated party was already on the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation you would select the party by highlighting the name with your mouse and click on the **[Select Name From List]** button. (See Figure 7b.)

- ◆ In Figure 7b the only party on the database matching the search criteria was Household Finance. Since our party, Household Financial Services is not on the list, click the **[Create New Party]** button.



Party search results

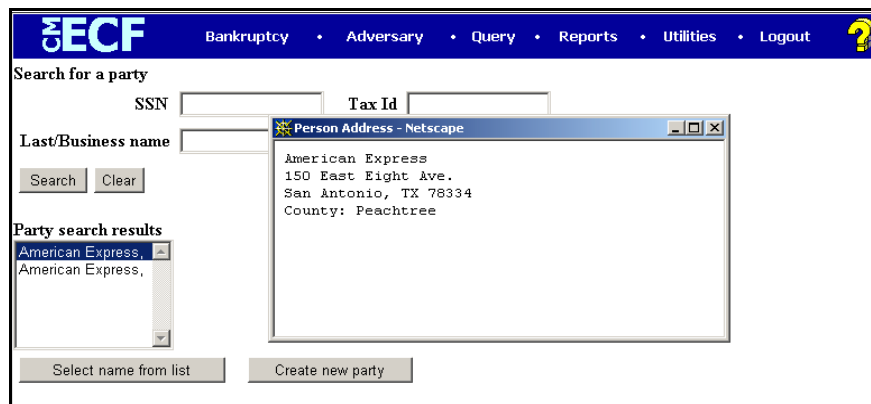
Household Finance,

Select name from list      Create new party

Figure 7b

**NOTE:** Your name search may find more than one record having the same name as shown in **Figure 7c**. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.



ECF      Bankruptcy   •   Adversary   •   Query   •   Reports   •   Utilities   •   Logout   ?

Search for a party

SSN      Tax Id

Last/Business name

Search   Clear

Party search results

American Express,  
American Express,

Select name from list      Create new party

Person Address - Netscape

American Express  
150 East Eight Ave.  
San Antonio, TX 78334  
County: Peachtree

Figure 7c

**STEP 8**      The **PARTY INFORMATION** screen appears. (See Figure 8.)

- ◆ Enter the plaintiff's **Name** and **Tax ID** or **SSN** information in the appropriate boxes.

Figure 8

- ◆ Expand the **Role Type** selection pick list by clicking on the down arrow ▼ and select Plaintiff.
- ◆ The **Party Text** field is used for further party description, such as A California Corporation or Executor for the Estate of.... This information will appear on the caption of the docket report immediately after the party's name.
- ◆ Click on the **[Attorney]** button on the **PARTY INFORMATION** screen. (See Figure 8.)

**STEP 9** For adversary openings **ONLY**, you will need to add yourself as the attorney representing the plaintiff(s). Steps 9 - 11 will show how this is done.

- ◆ Your attorney record already exists on the court's database in an attorney roll that is maintained by court staff.

The **ATTORNEY SEARCH** screen allows you to retrieve your attorney record by either State Bar ID or Last Name (or partial Last Name.) (See Figure 9.)



Figure 9

- ◆ This exercise illustrates how one could search for the attorney Heather Walker. The search clue entered in the Last name field is the first two letters (minimum required) of her last name.
- ◆ Click on **[Search]**.

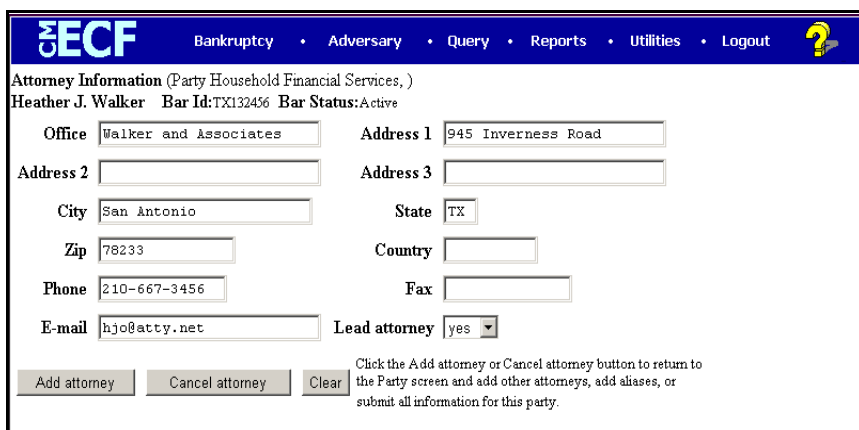
**STEP 10** The **ATTORNEY SEARCH RESULTS** screen will display all the matches for the search clue you entered. (See Figure 10.)



Figure 10

- ◆ Highlight your name with your mouse and click on **[Select Name From List]**.

**STEP 11** The **ATTORNEY INFORMATION** screen displays the master attorney record from the court attorney roll. (See Figure 11a.)



The screenshot shows the 'Attorney Information' form for 'Party Household Financial Services, )'. The form is titled 'Heather J. Walker Bar Id:TX132456 Bar Status:Active'. It contains several input fields: Office (Walker and Associates), Address 1 (945 Inverness Road), Address 2 (empty), Address 3 (empty), City (San Antonio), State (TX), Zip (78233), Country (empty), Phone (210-667-3456), Fax (empty), E-mail (hjo@atty.net), and Lead attorney (yes). At the bottom, there are three buttons: 'Add attorney', 'Cancel attorney', and 'Clear'. A note states: 'Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.'

Figure 11a

- ◆ Your attorney record can accommodate only one address. If the address for this case is different, make the changes to this screen. This will change professional and mailing information **FOR THIS CASE ONLY**.
- ◆ After verifying this information, click **[Add Attorney]** to associate this record with your plaintiff.
- ◆ The main **PARTY INFORMATION** screen again appears. (See **Figure 8.**) At this time you could click on the **[Review]** button to verify attorney and alias information for this party. Figure 11b shows how this information is displayed.

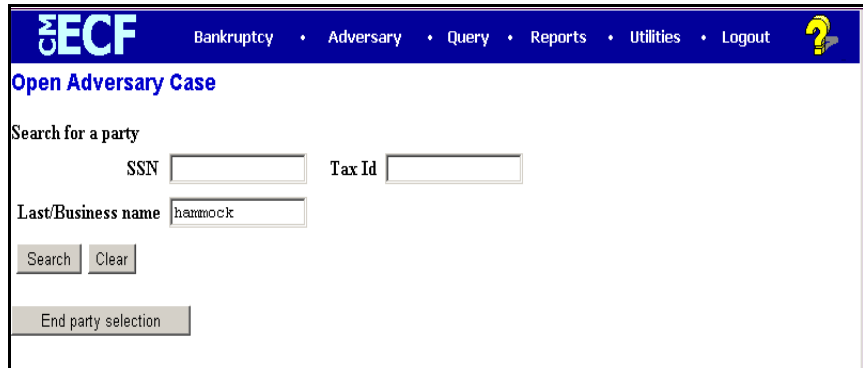


The screenshot shows the 'Review attorneys and aliases' screen for 'Household Financial Services'. It includes a link 'Uncheck to remove from list'. Under 'Attorneys added:', there is a checked box next to 'Walker, Heather J.' with the address 'Walker and Associates, 945 Inverness Road, San Antonio, TX 78233'. Under 'Aliases added:', it says 'None added.' At the bottom, there are two buttons: 'Return to Party screen' and 'Clear'.

Figure 11b

- ◆ Click on **[Return to Party screen]**.
- ◆ When the Party Information screen appears again, click **[Submit]**

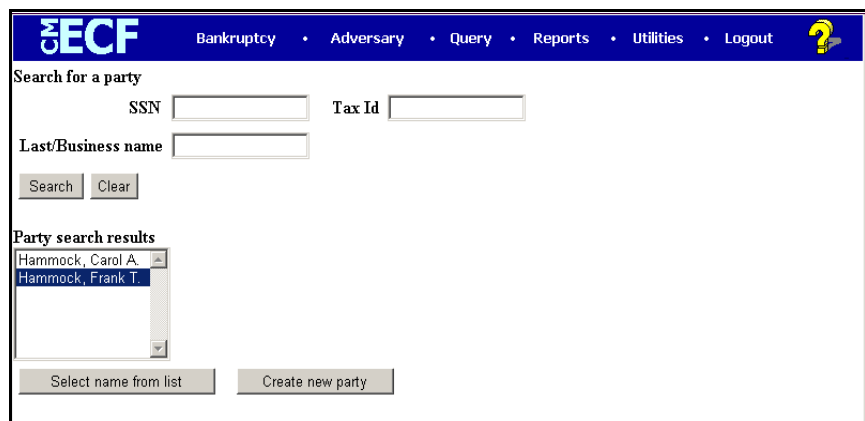
- STEP 12** You have added the plaintiff and if there are no more plaintiffs, the next step is to add the defendant(s). The **PARTY SEARCH** screen will appear again for that purpose. (See Figure 12.)



**Figure 12**

- ◆ Enter party information for the defendant Frank T. Hammock. Search by last name.

- STEP 13** When the **SEARCH RESULTS** screen appears, the party will be displayed because Frank Hammock is already a debtor on the bankruptcy case. (See Figure 13.)



**Figure 13**

- ◆ Highlight the name and click on **[Select name from list]**.

- STEP 14** The **SEARCH RESULTS** screen appears next with this party's data and address as it is recorded in the database from the bankruptcy case. (See Figure 14.)

The screenshot shows the ECF Party Information form for Frank T. Hammock, SSN: 123-23-3546. The form includes fields for Office, Address 1 (3467 Wayward Lane, Apt 3B), Address 2, Address 3, City (San Antonio), State (TX), Zip (78556), County (Peachtree), Country, Phone, Fax, E-mail, ProSe (no), and Role (Defendant (dft.pty)). There is a Party text field and buttons for Attorney..., Alias..., Review..., Submit, Cancel, and Clear. A note states: "Add all attorneys and aliases before clicking the Submit button."

Figure 14

- ◆ Follow your court's procedures for addresses for defendants. You must select the Party Role by clicking on the ▼ down arrow for the **Role** field. Highlight **Defendant** and click on **[Submit]**. The defendant's attorney information will be added at a later time.
- ◆ The Party Search screen will reappear. Since the bankruptcy case we are using is a joint case, we would complete steps 12-14 again for the other party (Carol A. Hammock in this case). When all parties have been entered, click on **[End Party Selection]**.

- STEP 15** The **ADVERSARY STATISTICAL** screen appears. (See Figure 15a).

The screenshot shows the ECF Open Adversary Case form. It includes dropdown menus for Party code (3 U.S. not a Party), Nature of suit (424 (Obj/Revocation Discharge 727)), and Origin (1 Original Proceeding). There are text input fields for Transfer date, Rule 23 (class action) (n), Jury demand (None), and Demand (\$000). Buttons for Next and Clear are at the bottom.

Figure 15a

- ◆ Unless the US is a plaintiff or defendant in your case, accept the default **US not a Party** as shown in Figure 15b.

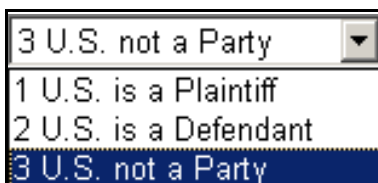


Figure 15b

- ◆ For our exercise select **454 (Recover Money/Property)** as the Nature of Suit of the complaint from the list below (See Figure 15c.).

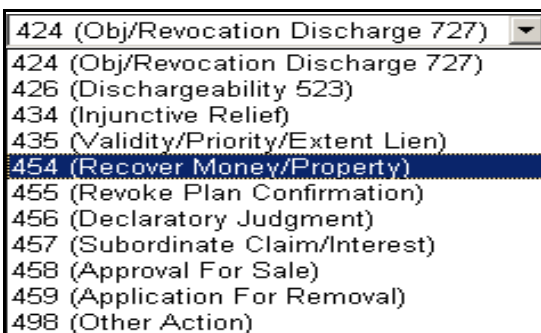


Figure 15c

- ◆ Only one suit can be selected during the opening of an adversary case.
- ◆ Multiple suits will be handled according to the direction of your court.

**NOTE:** If there are multiple suites and one is a 727 Objection to Discharge, it is important to enter 424 as the Nature of Suite here.

- ◆ The **Origin** code defaults to original proceeding. (See Figure 15d.) Accept the default. Other values are:

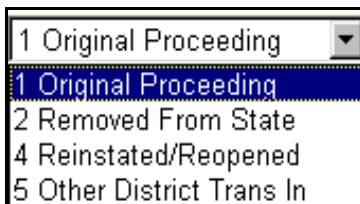


Figure 15d

- ◆ The default in the **Rule 23 (Class Action)** box is *n*. Change the default to **y** only if this is a Class Action suit.
- ◆ The default in the **Jury Demand** box is *n* (None). (See Figure 15e.)

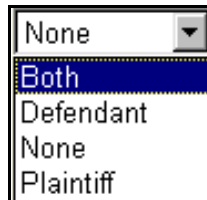


Figure 15e

- ◆ For our case we will leave the default of **None**.
- ◆ **Dollar Demand.** If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, if the Dollar Demand is \$4550, \$5,000, or \$5499, you would enter 5 for \$5000, leaving off the 000. Since our Nature of Suit is Recover Money/Property we will enter **29** for \$29,000.00.
- ◆ Verify the data on your screen and then click **[Next]**.

**STEP 16** The **PDF DOCUMENT SELECTION** screen displays. (See Figure 16a.)

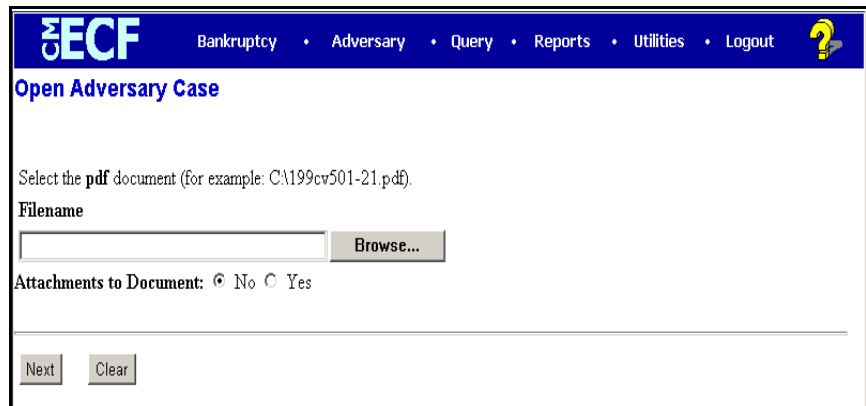


Figure 16a

- ◆ To associate the imaged document with this entry, select the PDF filename of the complaint you are filing.
  - Click **[Browse]**. In the **File Upload** screen change **Files of type:** to **All files(\*.\*)** then navigate to the directory where

the appropriate PDF file is located and select it with your mouse.

- To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. (See Figure 16b.)

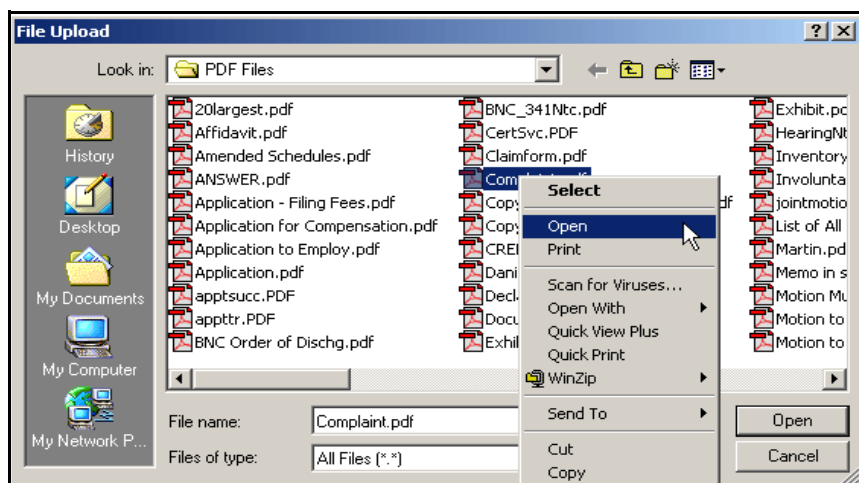


Figure 16b

- This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.
- Close or minimize the Adobe application and if that is the correct file, click **[Open]** on the File Upload dialogue box. (See Figure 16c.)

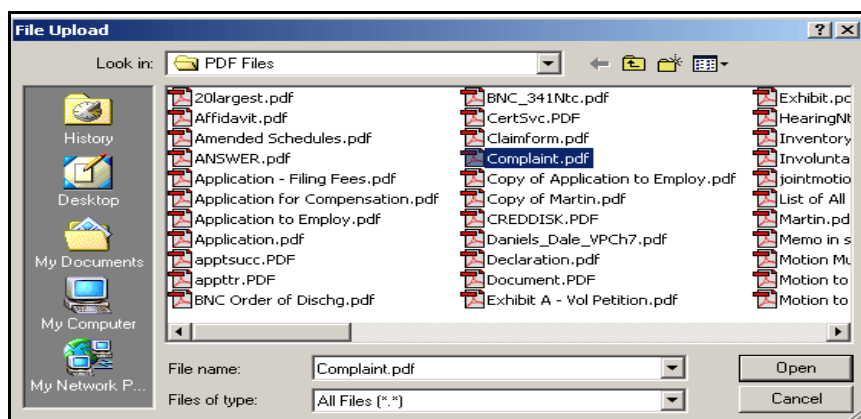
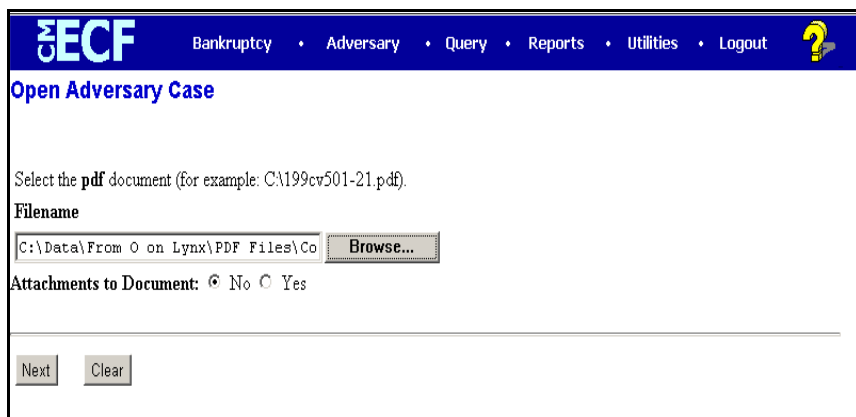


Figure 16c

- ◆ The **PDF DOCUMENT SELECTION** screen appears with the path and PDF document in the **Filename** box. (See Figure 16d.).



The screenshot shows the ECF system interface for opening an adversary case. The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The main heading is 'Open Adversary Case'. Below this, a prompt says 'Select the pdf document (for example: C:\199cv501-21.pdf)'. A 'Filename' label is above a text box containing the path 'C:\Data\From O on Lynx\PDF Files\Co'. To the right of the text box is a 'Browse...' button. Below the text box, it says 'Attachments to Document: ☒ No ☐ Yes'. At the bottom are 'Next' and 'Clear' buttons.

Figure 16d

- ◆ There will be no attachments in this exercise. Attachments will be covered in another lesson. Therefore, leave the radio button indicating No.
- ◆ Click **[Next]** to continue.

**STEP 17** The **FILING FEE** screen will display prompts for fee and receipt information. (See Figure 17.)



The screenshot shows the ECF system interface for the filing fee step. The header is the same as Figure 16d. The main heading is 'Open Adversary Case'. Below this, a message in blue text says 'COURT USERS ONLY: If this is a 727 Objection to Discharge, Set 727OBJ Flag Next.' Below this is another blue prompt: 'For Receipt #, Enter CC for Credit Card or O for Other Payment.' There is a 'Receipt #' label followed by a text box containing 'CC' and 'Fee: \$150'. At the bottom are 'Next' and 'Clear' buttons.

Figure 17

- NOTE:** You may see a displayed message such as the one in figure 17 for **COURT USERS ONLY**: Disregard this message.
- ◆ You will not know what the **Receipt #** is. Enter **cc** or **CC** in the **Receipt #** field to indicate payment by Credit Card or follow your courts direction for the entry here.

- ◆ The Fee Amount defaults to the amount of the complaint filing fee, \$150.00.
- ◆ Click **[Next]** to continue.
- ◆ The following screen may appear. (See Figure 18.) Click **[Next]**.



Figure 18

**STEP 18** The **FINAL DOCKET TEXT** screen displays. (See Figure 19.)

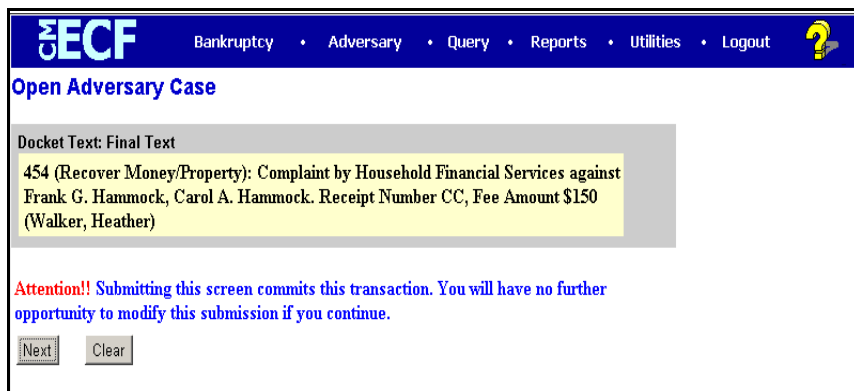


Figure 19

- ◆ Proof this screen carefully! No further editing in the case opening process is allowed after this screen. If Docket Text is correct, click **[Next]**.
- ◆ If any part of it is incorrect, click the browser **[Back]** button to return to the screen you need to correct. Then process the screens again with the respective **[Next]** or **[Submit]** buttons.

**NOTE:** When an adversary case is opened, the complaint information is spread over to the main bankruptcy case. (The case number does not appear in the docket text.)

**When the judgment is rendered, the ruling will also spread over to the main bankruptcy case.**

**NOTE:** To abort or restart the transaction at any time up until the final docket text screen, click the **Adversary** hyperlink on the **Menu Bar**.

**STEP 19** The **NOTICE OF ELECTRONIC FILING** screen appears.  
(See Figure 20a.)

The screenshot displays the 'Open Adversary Case' interface. At the top, a navigation bar includes links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout, along with a help icon. The main heading is 'U.S. Bankruptcy Court Systems Deployment and Support Division'. Below this, the 'Notice of Electronic Filing' section states that a transaction was received from Walker, Heather on 9/6/2002. It lists two cases: 'Household Financial Services v. Hammock et al' (Case Number: 1:02-ap-1004, Document Number: 1) and 'Frank G. Hammock and Carol A. Hammock' (Case Number: 1:02-bk-10069, Document Number: 12). The 'Docket Text' section provides details for the first case, including a complaint by Household Financial Services against Frank G. Hammock and Carol A. Hammock, with a receipt number CC and a fee amount of \$150. It also lists associated documents, including a main document with a detailed electronic stamp. The bottom section lists electronic mailing notices for both cases, with contact information for Heather J. Walker and William W. Thompson.

**ECF** Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

**Open Adversary Case**

U.S. Bankruptcy Court  
Systems Deployment and Support Division

Notice of Electronic Filing

The following transaction was received from Walker, Heather entered on 9/6/2002 at 2:38 PM CDT and filed on 9/6/2002

**Case Name:** Household Financial Services v. Hammock et al  
**Case Number:** [1:02-ap-1004](#)  
**Document Number:** [1](#)

**Case Name:** Frank G. Hammock and Carol A. Hammock  
**Case Number:** [1:02-bk-10069](#)  
**Document Number:** [12](#)

**Docket Text:**  
454 (Recover Money/Property): Complaint by Household Financial Services against Frank G. Hammock, Carol A. Hammock.  
Receipt Number CC, Fee Amount \$150 (Walker, Heather)

The following document(s) are associated with this transaction:

**Document description:**Main Document  
**Original filename:**O:\ECF\_Students\PDF Files\Complaint.pdf  
**Electronic document Stamp:**  
[STAMP bkecfStamp\_ID=981735245 [Date=9/6/2002] [FileNumber=7643-0] [6c8e245e2c6e2c03eac8223a26024E2127454208169fea60aa61a4688d8ece5a40ca1eccfdca4e691a037ec24db5d32ef9d27c99ccd8fcdf37c dfe9d806029c]]

**Document description:**Main Document  
**Original filename:**O:\ECF\_Students\PDF Files\Complaint.pdf  
**Electronic document Stamp:**  
[STAMP bkecfStamp\_ID=981735245 [Date=9/6/2002] [FileNumber=7644-1] [448a52c528341d51900bd91eefb0b36a74cc63cad58351a0a27c98dc1162e002abc8e76caf0425d0fd99391f069526dbb8dc22ce8f965acc258a84584c120c6]]


**1:02-ap-1004 Notice will be electronically mailed to:**  
Heather J. Walker walkerh@atty.net

**1:02-ap-1004 Notice will not be electronically mailed to:**

**1:02-bk-10069 Notice will be electronically mailed to:**  
William W. Thompson wwthompson@trustee.net,  
George T. Walker gtwalker@atty.net  
Heather J. Walker walkerh@atty.net

**Figure 20a**

- ◆ The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.
- ◆ The case number is a hyperlink to the docket sheet and the document number is a hyperlink to the PDF document image. Clicking on either of these links will bring up the PACER login screen. **(See Figure 20c). The case number of both this adversary and the lead bankruptcy case appear.** This indicates that this complaint entry has spread to the bankruptcy case and will be available to anyone reviewing the Bankruptcy Docket report. The hyperlink to the imaged PDF complaint is also accessible from the bankruptcy case.
- ◆ To print a copy of this notice, click the browser **[Print]** icon.
- ◆ To save a copy of this notice, click **[File]** on the browser menu
- ◆ Trustee and Attorney users will have access to the **Notice of Electronic Filing** at the time of their filing. Subsequent access to any Query or Report programs must go through the PACER system. **(See Figure 20c.)**
- ◆ Further access to the **Notice of Electronic Filing** is available through the electronic docket report. When this option is selected, a bullet appears next to the document number of the event on the docket report. **(See Figure 20b.)** Clicking on this bullet will display a copy of this notice. Attorney users will be presented with a PACER login screen first. **(See Figure 20c.)**

Filing Date	#	Docket Text
09/06/2002	 1	454 (Recover Money/Property): Complaint by Household Financial Services against Frank G. Hammock, Carol A. Hammock. Receipt Number CC, Fee Amount \$150 (Walker, Heather) (Entered: 09/06/2002)

**Figure 20b**

- ◆ When a copy of the **Notice of Electronic Filing** is mailed to each subscriber on the case, the following message will display at the top:

**\*\*\*NOTE TO PUBLIC ACCESS USERS\*\*\***

**You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.**

**ECF** Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

## PACER Login

**Notice**  
This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

**Instructions**  
Enter your ECF login and password for electronic filing capabilities. If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, contact the PACER Service Center to establish an account. You may register online at <http://pacer.psc.uscourts.gov> or call the PACER Service Center at (800) 676-6856 or (210) 301-6440.

An access fee of \$.07 per page, as approved by the Judicial Conference of the United States at its September 1998 session, will be assessed for access to this service. All inquiries will be charged to your PACER login that is kept on file. If you do not need filing capabilities, enter your PACER login and password. The Client code is provided to the PACER user as a means of tracking transactions by client. This code can be up to thirty two alphanumeric characters long.

**Authentication**

Login:

Password:

Client code:

☐ Make this my default PACER login

Figure 20c